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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,653	09/30/2003	Jeyhan Karaoguz	14281US02	5800

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MCANDREWS HELD & MALLOY, LTD  
500 WEST MADISON STREET  
SUITE 3400  
CHICAGO, IL 60661

EXAMINER
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MOUZON, LAJUANIA N

ART UNIT	PAPER NUMBER
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2153

MAIL DATE	DELIVERY MODE
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08/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/675,653

Applicant(s)

KARAOGUZ ET AL.

Examiner

La Juania N. Mouzon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/30/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

### ***Specification***

2. The disclosure is objected to because of the following informalities: ¶102 need to add in the United States Application Serial Numbers.

Appropriate correction is required.

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because the phrase of "Aspects of the invention" is implied. Correction is required. See MPEP § 608.01(b).

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***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikinis (US 5,644,714).

7. In regards to claim 1 Kikinis discloses, a method for communication of information in a distributed media network, the method comprising:

- a. detecting availability of at least one of new media, data and service within the distributed media network **(Col. 4 line(s) 14-16, teaches the file server detecting the availability of new information within the distributed media network. Fig. 1A, displays the file servers being in the distributed media network.);**
- b. identifying at least one media processing system having an interest in monitoring said newly available at least one of new media, data and service **(Col. 4 line(s) 14-16, teaches identifying at least one media processing system having an interest in monitoring said newly available at least one of new media, data and service.);**
- c. and notifying said identified at least one media processing system of said newly available at least one of new media, data and service **(Col. 4 line(s) 14-**

**16, teaches sending a notification to the at least one media processing system of said newly available at least one of new media, data and service.).**

8. In regards to claims 2, 12, and 22 Kikinis discloses, comparing said newly available at least one of new media, data and service with data in a media profile associated with said at least one media processing system to determine whether there is a match **(Col. 4 line(s) 14-16, comparing the newly available information with data (interest) associated with the media profile to determine whether there is a match.).**

9. In regards to claims 3, 13, and 23 Kikinis discloses, wherein said data in said media profile associated with said at least one media processing system is predefined **(Fig. 1A and Col. 4 line(s) 17-20, teaches that the data from the media profile is associated with at least one predefined media processing system.).**

10. In regards to claims 4, 14, and 24 Kikinis discloses, dynamically updating data in said media profile associated with said at least one media processing system **(Col. 4 line(s) 10-13, teaches the user (media) profile being dynamically updated that is associated with at least one media processing system.).**

11. In regards to claims 5, 15, and 25 Kikinis discloses, polling at least one of a plurality of network components in the distributed media network for said newly available at least one of new media, data and service **(Col. 4 line(s) 17-20, teaches the**

**client can poll at least one of a plurality of network components for the new media from the distributed media network.).**

12. In regards to claims 6, 16, and 26 Kikinis discloses, wherein said at least one of a plurality of network components **(Fig. 1A and Col. 3 line(s) 22-33, teaches a plurality of network components.)** is at least one of a personal computer **(Col. 3 line(s) 29-33, teaches that other architectures can be used therefore a personal computer is implied.)**, a server **(Col. 2 line(s) 24-26, teaches the system having servers.)**, a content provider **(Col. 2 line(s) 49-52, teaches the system having content providers (file servers).)** and a media processing server **(Col. 3 line(s) 56-62, teaches servers being media processing servers.).**

13. In regards to claims 7, 17, and 27 Kikinis discloses, further comprising subscribing to receive said notification **(Col. 4 line(s) 10-11, teaches the client subscribing to receive notifications.).**

14. In regards to claims 8, 18, and 28 Kikinis discloses, examining information communicated by said media processing system to determine data associated with said monitored interest **(Col. 4 line(s) 14-16, examining the newly available information communicated by said media processing system with monitored interest).**

15. In regards to claims 9, 19, and 29 Kikinis discloses, updating a media profile associated with said determined data associated with said monitored interest **(Col. 4**

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**line(s) 10-13, teaches the user (media) profile being dynamically with said determined data associated with said monitored interest.).**

16. In regards to claims 10, 20, and 30 Kikinis discloses, updating at least one media view with data associated with said newly available at least one of new media, data and service **(Col. 4 line(s) 20-24, teaches when the client selects the information for downloading that that downloaded information can be saved or viewed immediately, therefore the media view displays the newly available information.).**

17. In regards to claim 11 Kikinis discloses, a machine-readable storage having stored thereon, a computer program having at least one code section for communicating information in a distributed media network, the at least one code section being executable by a machine for causing the machine to perform steps comprising:

d. detecting availability of at least one of new media, data and service within the distributed media network **(Col. 4 line(s) 14-16, teaches the file server detecting the availability of new information within the distributed media network. Fig. 1A, displays the file servers being in the distributed media network.);**

e. identifying at least one media processing system having an interest in monitoring said newly available at least one of new media, data and service **(Col. 4 line(s) 14-16, teaches identifying at least one media processing system**

**having an interest in monitoring said newly available at least one of new media, data and service.);**

f. and notifying said identified at least one media processing system of said newly available at least one of new media, data and service (**Col. 4 line(s) 14-16, teaches sending a notification to the at least one media processing system of said newly available at least one of new media, data and service.).**

18. In regards to claim 21 Kikinis discloses, a system for communication of information in a distributed media network, the system comprising:

g. at least one processor adapted to detect availability of at least one of new media, data and service within the distributed media network (**Col. 4 line(s) 25-30 and Col. 4 line(s) 14-16, teaches a file server having at least one processor to detect the availability of new information within the distributed media network. Fig. 1A, displays the file servers being in the distributed media network.);**

h. said at least one processor identifying at least one media processing system having an interest in monitoring said newly available at least one of new media, data and service (**Col. 4 line(s) 25-30 and Col. 4 line(s) 14-16, teaches a file server having at least one processor to identify at least one media processing system having an interest in monitoring said newly available at least one of new media.);**



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i. and said at least one processor notifying said identified at least one media processing system of said newly available at least one of new media, data and service (**Col. 4 line(s) 25-30 and Col. 4 line(s) 14-16, teaches a file server having at least one processor to send a notification to the at least one media processing system of said newly available at least one of new media, data and service.**).

### ***Conclusion***

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Atcheson et al. (US 5,583,763) video collection and distribution system with interested item notification and download on demand.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to La Juania N. Mouzon whose telephone number is 571-270-3045. The examiner can normally be reached on Monday - Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LNLM



GLENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100